

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

**KERRIE DICKSON and
HUGH ESCO,**

Plaintiffs,

v

**THE STATE OF GEORGIA,
SECRETARY OF STATE OF
GEORGIA, and
THE SUPERINTENDENT OF
ELECTIONS FOR RABUN, TOWNS,
UNION AND WHITE COUNTIES,**

Defendants.

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**CIVIL ACTION FILE NO.:
2000-CV-27164**

**PLAINTIFFS' SECOND CONTINUING INTERROGATORIES TO
THE DEFENDANT THE STATE OF GEORGIA**

**TO: The Defendant the State of Georgia by and through their attorney of record,
Mr. Dennis R. Dunn, Ms. Rebecca S. Mick, Georgia Department of Law,
40 Capitol Square, S.W., Atlanta, Georgia 30334-1300**

Plaintiff requests that the Defendant answer the following interrogatories, marked Exhibit "A", in writing, under oath, and that said Defendant serve copies of its answers on counsel for the Plaintiff, as required by law within thirty (30) days of the date of service.

When used in these interrogatories, the term "Defendant" or any synonym thereof, "you" and other pronouns directed to Defendant, are intended to and shall embrace and include, in addition to said Defendant, counsel for the Defendant and all agents, servants, employees, representatives, private investigators, adjustors and others who are in possession of, or may have obtained information for or on behalf of the Defendant.

“Document” or “record” shall mean every type and description that is in your possession, control or custody, including without limitation, correspondence, memoranda, stenographic or handwritten notes, studies, publications, books, pamphlets, pictures, films, voice recordings, maps, reports, surveys, minutes or statistical compilation, data processing cards or computer record tape or print out; and every copy of such writing or record where the original is not in your possession, custody or control. Any such document bearing on any sheet or side thereof any marks such as initials, “received” stamps, comments, or notations of any character and not part of the original text or photographic reproduction thereof is to be considered and identified as a separate document.

These interrogatories shall be deemed continuing and supplemental answers shall be required to be promptly submitted if the Defendant directly or indirectly obtains further information of the nature sought herein up to and including the time of trial.

This _____ day of _____, _____.

2900 Chamblee Tucker Road
Building 6
Atlanta, Georgia 30341
(404) 267-1840

CRAIG ALAN WEBSTER
Attorney for Plaintiff
Ga. State Bar No.: 744950

EXHIBIT “A”

0. Please state, in detail, the legislative history behind the enactment of O.C.G.A. Section 21-2-170, paragraph (b) providing “A nomination petition of a candidate for any other office shall be signed by a number of voters equal to 5 percent of the total number of registered voters eligible to vote in the last election for the filling of the office the candidate is seeking and the signers of such petition shall be registered and eligible to vote in the election at which such candidate seeks to be elected.” In responding to this interrogatory, please include relevant dates of presentation to the Georgia Legislature and enactment as well as the names of the persons sponsoring said bill(s).

1. As to the legislation referred to in interrogatory number one (1) above, please identify all State interests which you contend are legitimate and which you contend are achieved by the referenced legislation.

2. Prior to enacting the legislation which is identified in interrogatory number one (1) above, did any agency of the State of Georgia conduct, or commission some other person or entity to conduct, any form of study to determine whether or not the State interests identified in response to interrogatory number two (2) above could be achieved by any less restrictive procedure than to require a nomination petition with signatures of 5 percent of the total number of registered voters eligible to vote in the last election. If so, please identify the agency conducting or commissioning the study, state the date(s) upon which said study was/were conducted, state whether the study was recorded or reduced to writing and identify by name and address the person(s) who presently have custody of said study.

3. Since enacting the legislation which is identified in interrogatory number one (1) above, has any agency of the State of Georgia conducted, or commissioned some other person or entity to conduct, any form of study to determine whether or not the State interests identified in response to interrogatory number two (2) above could be achieved by any less restrictive procedure than to require a nomination petition with signatures of 5 percent of the total number of registered voters eligible to vote in the last election. If so, please identify the agency conducting or commissioning the study, state the date(s) upon which said study was/were conducted, state whether the study was recorded or reduced to writing and identify by name and address the person(s) who presently have custody of said study.

4. Regardless of whether any study has been conducted, please state in detail why the State interests you identify in answer to interrogatory number two (2) above could not be achieved by requiring signatures of 1 percent of the registered voters eligible to vote in the last election as opposed to 5 percent of the registered voters eligible to vote in the last election.

5. Under the Act 1517 amendments to the portion of O.C.G.A. Section 21-2-170(b) (effective April 3, 1986) which deal with nomination petitions for a candidate seeking an office which is voted upon state wide, the required signatures were reduced from 2.5 percent of registered voters eligible to vote in the last election to 1 percent of registered voters eligible to vote in the last election. As to these amendments under Act 1517 (effective April 3, 1986), please state:
 - (A) Why were the required signatures for state wide elections reduced from 2.5 percent of registered voters eligible to vote in the last election to 1 percent of registered voters eligible to vote in the last election?
 - (B) Why were the required signatures for candidates seeking any other office not similarly reduced to 1 percent of registered voters eligible to vote in the last election?
6. State the names and addresses of all persons known by you who have or may have knowledge of any fact at issue in this civil action.
7. State the name, address, telephone number and occupation of all persons whom you intend to call as an expert at the trial of this case. As to each such person, please state the subject matter on which the expert is expected to testify, a succinct statement of each opinion of said expert and a summary of the facts upon which the expert relies in forming each such opinion.
8. Please identify by detailed description all documents which you contend contain information which is relevant or otherwise admissible at the trial of this action.